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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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Amy Rife,

Plaintiff,

vs.

Adena Health System,

Defendant.

Case No. \_\_\_\_\_

(Hon. \_\_\_\_\_)

**NOTICE OF REMOVAL**

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Pursuant to 28 U.S.C. §1331, 1441, and 1446, defendant Adena Health System files this Notice of Removal of this action from the Common Pleas Court of Ross County, Ohio, where it is now pending, to the United States District Court for the Southern District of Ohio, Eastern Division.

1. This action was commenced on April 14, 2021 by the filing of the Complaint in the Common Pleas Court of Ross County, Ohio. The action is entitled *Amy Rife v. Adena Health System* and was assigned Case No. 21-CI-000092 on the docket of that Court.

2. The Summons and Complaint was served by plaintiff upon Adena Health System by certified mail received on April 19, 2021. This Notice of Removal is being filed within

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thirty (30) days after receipt by defendant Adena Health System and is timely filed in accordance with 28 U.S.C. §1446(b).

3. From the face of the Complaint, it is apparent that plaintiff alleges claims that arise under federal law; specifically, the provisions of the Family and Medical Leave Act, 29 U.S.C. §2601 *et seq.* Because plaintiff's claims arise under the laws of the United States, they fall within the Court's original jurisdiction under the provisions of 28 U.S.C. §1331 and the Complaint is removable to this Court pursuant to 28 U.S.C. §1441(a).

6. The state law claim asserted in the Complaint forms part of the same case or controversy. Without admitting the validity or sufficiency of the allegations asserted in the Complaint, the state law claims and federal claims derive from a common nucleus of operative facts and normally would be tried in one judicial proceeding. Thus, the Court may exercise supplemental jurisdiction over plaintiff's state law claims under 28 U.S.C. §1367(a) and §1441(c)

7. Copies of all process, pleadings, and orders served upon defendant Adena Health System in this action are attached hereto as Exhibit A pursuant to 28 U.S.C. §1446(a).

8. Defendant Adena Health System has not yet moved, pleaded or answered plaintiff's Complaint. Defendant will do so within the time provided by Fed. R. Civ. P. 81(c).

WHEREFORE, defendant Adena Health System requests that the Court enter this case on its docket and entertain such further proceedings herein as may be proper and authorized by law.

Respectfully submitted,

EASTMAN & SMITH LTD.

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Attorneys for Defendant  
Adena Health System

**PROOF OF SERVICE**

A copy of the foregoing was electronically filed this May 12, 2021 and served by e-mail upon Brian D. Spitz, Esq., [brian.spitz@spitzlawfirm.com](mailto:brian.spitz@spitzlawfirm.com), 25200 Chagrin Blvd., Suite 200, Beachwood, OH 44122 and Trisha Breedlove, Esq., [trisha.breedlove@spitzlawfirm.com](mailto:trisha.breedlove@spitzlawfirm.com), The Spitz Law Firm LLC, 1103 Schrock Road, Suite 307, Columbus, OH 43229

/s/ Heidi N. Hartman  
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Adena Health System